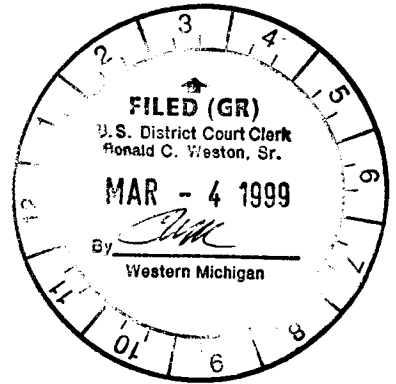UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re: AMENDMENTS TO LOCAL   )
RULES OF PRACTICE   )   Administrative Order
AND PROCEDURE   )   No. 99-016
_____)

     In accordance with the Alternative Dispute Resolution Act of 1998, Public Law 105-315, which amends 28 U.S.C. §§ 651 *et seq.*, the Court has determined that amendments are necessary to the Local Rules of Civil and Criminal Practice and Procedure, promulgated effective June 1, 1998. Accordingly, IT IS ORDERED as follows:

     Local Civil Rule 16.2(c) is hereby amended to read in its entirety as follows:

    (c)   <u>Selection of ADR method</u> - In advance of the LCivR 16.1 early scheduling conference, the parties shall consider the possible use of one of the ADR methods approved by these rules. The Court may order the parties to utilize Michigan mediation or Early Neutral Evaluation for all or part of a civil action:

        (i)   following stipulation of the parties;
        (ii)   on motion of a party with notice to opposing counsel; or
        (iii)   on the Court's own motion with prior notice to all parties.

     Because these amendments are necessary in order to comply with the Alternative Dispute Resolution Act of 1998, they shall take effect immediately upon the date of this Administrative Order. The Clerk shall post a copy of this Administrative Order at each of the Court's divisional offices, and the public shall be entitled to comment upon these amendments for sixty days after the effective date. *See* 28 U.S.C. § 2071(a). If public comments are received, the court will consider them and may make further amendments in response thereto.

     The Clerk shall forthwith furnish a copy of this order to the Judicial Conference of the Sixth Circuit, the Administrative Office of the U.S. Courts, the Michigan State Bar Association, the U.S. Attorney for the Western District of Michigan, and the Local Rules Advisory Committee for the Western District of Michigan.

FOR THE COURT:

Dated: March 4, 1999

Richard A. Enslen, Chief Judge